



December 4, 2023

SENT VIA E-MAIL & U.S. MAIL

U.S. Department of Education
Office of the Executive Secretariat
FOIA Service Center
400 Maryland Avenue, SW, LBJ 7W106A
Washington, DC 20202-4536
ATTN: FOIA Public Liaison

Re: Freedom of Information Act Request Regarding Grand Canyon University

Dear FOIA Public Liaison:

On behalf of the Scharf-Norton Center for Constitutional Litigation at the Goldwater Institute (the “Goldwater Institute”) and pursuant to the Freedom of Information Act (FOIA), 5 U.S.C. § 552, this correspondence is a request for records, regardless of format, medium or physical characteristics.

Specifically, we seek the following documents and records:

- (1) Copies of all email communications between the individuals identified below pertaining to the Federal Student Aid’s (“FSA”) or the U.S. Department of Education’s (“DOE”) investigation and fine of Grand Canyon University (“GCU”) for alleged violations of the Higher Education Act and/or federal regulations, as well as GCU’s Provisional Program Participation Agreement, from January 1, 2021 to the date of this request:
 - a. Richard Cordray
 - b. Christopher Madaio
 - c. Kristen Donoghue
 - d. Susan Crim
 - e. Lina Khan
 - f. Michael Tankersley
 - g. Rohit Chopra
- (2) Copies of records that indicate the total number of complaints submitted by members of the public to the DOE pertaining to GCU’s disclosure of the cost of its doctoral programs from January 1, 2020 to the date of this request.

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Electronic production of records and information is acceptable. If the records are produced electronically, please include all associated metadata. If you refer me to a website containing responsive records, please specify the precise web address where they may be found.

Please note that the Goldwater Institute is a not-for-profit 501(c)(3) organization. As such, no responsive records will be used for commercial purposes.

We are willing to pay fees for this request up to three hundred dollars (\$300.00). If you estimate that fees will exceed this amount, please inform me first.

I request your response within the statutory timeframe of twenty (20) business days. If you are unable to complete the request within that time, please contact me with your progress and expected completion date. The Goldwater Institute regularly disseminates information to the public. Given the critical and timely public importance of the activities of the federal government raised in this FOIA request, we request expedited production.

Please mail the responsive records to the mailed address above or e-mail address below.

If you deny access to any of the above public records, please provide forthwith a written statement of the express grounds for the denial, citing the law or regulation under which access is denied.

If you have any questions about this request or foresee any problems in fully releasing the requested records please contact me as soon as possible, I can be reached at (602) 465-5000 or sskankey@goldwaterinstitute.org.

Sincerely,



Mrs. Stacy Skankey
Staff Attorney
Scharf-Norton Center for Constitutional Litigation
at the Goldwater Institute

UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF THE SECRETARY

Freedom of Information Act (FOIA) Service Center



FOIA REQUEST FORM

Use this form to request U.S. Department of Education records/information. Submit completed form and documentation via email: EDFOIAManager@ed.gov; fax 202-401-0920; or mail to U.S. Department of Education, Office of the Secretary, 400 Maryland Avenue, SW, LBJ 7W106, Washington, DC 20202-0121, Attn: FOIA Public Liaison.

REQUESTER INFORMATION

Title	<input type="text" value="Ms."/>	First Name	<input type="text" value="Stacy"/>	M.I.	<input type="text"/>	Last Name	<input type="text" value="Skankey"/>
Business Name	<input type="text" value="Goldwater Institute"/>			Title	<input type="text" value="Staff Attorney"/>		
Address	<input type="text" value="500 E Coronado Rd"/>				Bldg/Apt#	<input type="text"/>	
City	<input type="text" value="Phoenix"/>				State	<input type="text" value="AZ"/>	Zipcode <input type="text" value="85004"/>
Phone Number	<input type="text" value="602-462-5000"/>		Fax Number	<input type="text" value="602-256-7045"/>		Email	<input type="text" value="sskankey@goldwaterinstitute.org"/>

Requester Description

- ☐ An individual seeking information for personal use.
- ☐ Affiliated with a private corporation and seeking information for use in the company's business.
- ☐ A representative of the news media/press and this request is made as part of news gathering and not for commercial use.
- ☒ Affiliated with a public interest group and this request is not for commercial use.
- ☐ Affiliated with an educational or noncommercial scientific institution and this request is for a scholarly purposes.
- Provide a description of the scholarly purpose the requested documents support.
 - If the scholarly purpose is currently funded by the Department of Education, provide funding numbers and award name.
 - If the documents requested are to increase the possibility of receiving a grant or contract to conduct a scholarly purpose, then the purpose of the request is commercial.

Comments (i.g. media agency, description of scholarly purpose)

Not-for-profit 501(c)(3) organization. No responsive records will be used for commercial purposes

Description of documents that are being requested. Be as specific as possible with regard to names, dates, places, events, subjects, etc. If known, you should include any file designations or descriptions for the records that you are requesting.

Please see the attached letter

- ☐ I agree to pay all applicable fees. (To view the fee structure, visit: <http://www2.ed.gov/policy/gen/leg/foia/fees.html>)
- ☐ I request a waiver or reduction of fees.
(To view the criteria for fee waivers, visit: <http://www2.ed.gov/policy/gen/leg/foia/fee-waiver.html>)
- ☒ Enter a specified amount which you agree to pay. I understand I will be notified if the estimated cost exceeds the specified amount I provided. (Note: The Department does not charge for request which total \$25 or less.)

EXPEDITED PROCESSING

If you are requesting expedited processing, choose the appropriate rationale for your request below.

- ☐ Failure to obtain requested records could reasonably be expected to pose an imminent threat to the life or physical safety of an individual. Additionally, if immediate use of the FOIA is shown to be critical (as opposed to a mere allegation) to the preservation of a substantial right that fact may also be considered.

Explain

- ☒ Request made by a person primarily engaged in disseminating information and there is an urgency to inform the public concerning actual or alleged Federal Government activity (this option available ONLY for requesters primarily engaged in disseminating information).

Explain

See attached letter

ADDITIONAL COMMENTS

Additional Comments

Privacy Act Statement:

AUTHORITY: 5 U.S.C. 301, Departmental Regulations and 5 U.S.C. 552, Freedom of Information Act (FOIA).

PURPOSE: to allow individuals to file electronic FOIA requests; to track all FOIA requests from receipt to response to compile statistics for the Annual FOIA Report; to research and respond to FOIA requests; to maintain case files to comply with records disposal requirements; and to maintain an administrative record to support any litigation.

ROUTINE USE: Requests are received, assigned a case number, routed to the appropriate office or organization for research and response, and filed in a case file. Requests that are transferred, receive a no records response, or granted in full are retained for 2 years and then destroyed. Requests that are denied in whole or in part are retained for 6 years then destroyed.

DISCLOSURE: Voluntary. We seek your full name and postal mailing address so we may mail a response to you. Failure to provide this information may result in your request not being processed (this page does not capture email addresses).

Information collected by this form is also used for trend analysis and may be shared with law enforcement personnel. Information submitted may be retained indefinitely.